

Water Quality Standards Advisory Committee

MEETING MINUTES

Thursday, January 12, 2012 1:30 pm – 3:30 pm

Department of Environmental Services

Rooms 112/113/114

29 Hazen Drive, Concord, NH

WQSAC Members Present

Name	Representing	Present	Alternate Present
Dan Blais	Home Builders and Remodelers' Association of NH	Y	
Steve Clifton	Consulting Engineers of NH		
Sam Demeritt	NH Wildlife Federation		
Steve Densberger	Water Council		
Diane Hanley	NH Association of Conservation Commissions and Lakes Management Advisory Committee		
Donna Hanscom	NH Water Pollution Control Association		
John Hodsdon	NH Farm Bureau Federation		
Melissa Hoffer	Conservation Law Foundation		
Kenneth Kimball	Appalachian Mountain Club		
Michael Licata	Business and Industry Association		
John Magee	NH Fish & Game Department	Y	
William McDowell	University of New Hampshire		
Mike Metcalf	NH Water Works Association	Y	
Eileen Miller	NH Association of Conservation Districts		
Joanne Morin	Office of Energy and Planning		
Larry Morse	NH Association of Natural Resource Scientists	Y	
Allan Palmer	Rivers Management Advisory Committee		
Kenneth Rhodes	Associated General Contractors of NH	Y	
Peter Rice	NH Municipal Association		
William Schroeder	NH Lakes Association		
Jasen Stock	NH Timberland Owners Association		
Ken Toppin	US Geological Survey		
Michele Tremblay	NH Rivers Council		
John Warner	US Fish & Wildlife Service		
Ellen Weitzler	EPA Region I	Y	

Additional Meeting Attendees

Mark Hutchins (Normandeau Assoc.)
Jason Smith (NHF&G)
Gary Abbott (AGC)
Ron Rhodes (CRWC)
Mark Hemmerlein (DOT)
Ted Diers (DES)
Philip Trowbridge (DES)
Shane Csiki (DES-NHGS)

Ken Edwardson (DES)
Brandon Kernen (DES)
Paul Susca (DES)
Gregg Comstock (DES)
Sandy Crystall (DES)
Owen David (DES)
Collis Adams (DES)

1) Introductions

The meeting began with a round of introductions. Vice Chair Ken Rhodes ran the meeting because Chairman Bill Schroeder was absent.

2) Approval of the 10/13/2011 Meeting Minutes and Update WQSAC Membership to include the Connecticut River Watershed Council

Ken Rhodes asked for an approval of the minutes of the 10/13/11 meeting. A motion to approve the minutes was made by Mike Metcalf, seconded by Larry Morse, and approved without opposition.

Ken Rhodes asked for approval to add the Connecticut River Watershed Council as a member of the WQSAC. A motion for approval was made by Larry Morse, seconded by Dan Blais, and approved without opposition. The Terms of Reference for the WQSAC were updated to reflect this change.

3) Update from Classification Subcommittee on Designated Uses for Surface Waters

Phil Trowbridge provided a summary of the “Working Proposal for Designated Uses for New Hampshire Water Quality Standards”. The document was distributed before the meeting and was included in the meeting materials. Phil explained that the working proposal will not be used for rulemaking in the near term. The proposal just summarizes the conclusions of the subcommittee that met four times during 2011. The committee members accepted the proposal and agreed that it reflected the current thinking by the WQSAC on this topic.

Phil Trowbridge introduced Sandy Crystall of DES who will be organizing the next subcommittee, which will focus on wetland water quality standards. DES is seeking members to join this subcommittee to help develop the approach for water quality criteria and assessment methods for wetlands. Sandy circulated a sign-up sheet for members to indicate interest in being part of the subcommittee. She will also contact the NH Association of Natural Resource Scientists and other organizations to ask for participants.

4) Continued Discussion of Turbidity Criteria

Gregg Comstock presented more information about turbidity criteria as a follow-up to discussions at the 10/13/2011 WQSAC meeting. The presentation summarized the current approach to turbidity compliance monitoring in the I-93 construction zone and then presented pros and cons of alternative approaches. The three alternatives considered were: (1) narrative variance for linear highway projects with best management practices; (2) define the turbidity criteria as a long-term average; and (3) develop limited duration criteria. Through the presentation and following discussion, the following key comments were made:

- **Current Approach:** The current approach for turbidity compliance monitoring developed by DES and DOT works within the existing regulations but at a high cost. “Active systems” for flocculants are needed to comply with the criteria, which costs thousands of dollars each month. Sampling requirements are labor-intensive. Compliance is particularly difficult in Class A watersheds.
- **Scope:** DES should clarify whether the alternative proposals would apply just to I-93 construction or to the whole state. Turbidity problems are not unique to I-93 construction.

- CGP: The new EPA Construction General Permit will be released soon. The permit is not expected to have an effluent limit guideline for turbidity but one may be proposed in the future. There may be a conflict between a future effluent limit guideline and the state surface water quality regulations.
- Other issues: MS4 stormwater discharges should be monitored for turbidity. Erosion from sheetflow can be important at some construction sites.

5) Proposed Legislation to Update Class A criteria

Ted Diers provided a summary of the “Proposed Rulemaking for Env-Wq 1700 *et seq.* pertaining to criteria for class A waters”. The document was distributed before the meeting and was included in the meeting materials. DES solicited comments on the proposal prior to rulemaking. The one main comment was that Class A waters must have stricter criteria than Class B waters. The proposal changes the criteria for Class A waters to be the same as Class B waters in many cases and defines them in terms of designated uses. To maintain the extra protections for Class A waters, the designated uses and the assessment methods would have to be more protective for Class A waters than for Class B waters.

6) Other Business

None

7) Adjourn

The meeting was adjourned at 3:30 pm.